

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

DR. TAREK EL-BAWAB

PLAINTIFF

VS.

CIVIL ACTION NO.: 3:15-CV-00733-DPJ-FKB

JACKSON STATE UNIVERSITY, *ET AL.*

DEFENDANTS

DEFENDANTS' MOTION TO EXCEED PAGE LIMIT

Defendants Jackson State University, Dr. Carolyn Meyers, individually and in her official capacity, Dr. Richard Alo, individually and in his official capacity, and Dr. Mahmoud Manzoul, individually and in his official capacity, (collectively, "Defendants") request leave to exceed the 35-page limit for memorandum briefs under Local Rule 7(b)(5):

1. Plaintiff Dr. Tarek El-Bawab's first amended complaint asserts multiple causes of actions against multiple defendants. *See* Docket No. 79. Defendants jointly moved for summary judgment by filing a 17-page memorandum brief, excluding certificate of service, on September 11, 2017. *See* Docket No. 96. On October 11, 2017, El-Bawab filed an oppositional response that is 35 pages in length, excluding certificate of service, but contains 19 pages of factual representations alone. *See* Docket No. 101.

2. In anticipation of filing their reply memorandum in support of summary judgment, Defendants request leave to exceed the 35-page limit set forth by Local Rule 7(b)(5). It is expected that the reply memorandum will be approximately 30 pages in length, excluding the certificate of service. As such, a 12-page extension is requested.

3. Defendants request this page extension so that they may adequately address the factual and legal issues presented in this case. This is not a run-of-the-mill employment dispute,

as evidenced by El-Bawab's continuous filing of lawsuits against Defendants. Defendants believe that a page extension will advance the administration of justice.

4. El-Bawab's counsel was contacted by email last week regarding the same and, today, indicated that they are not agreeable to the enlargement of pages requested.

5. El-Bawab's opposition is untenable given that Defendants only seek a 12-page extension. In addition to suing Jackson State University, El-Bawab has also sued three persons, Drs. Meyers, Alo, and Manzoul, in their individual capacities, asserting multiple claims as a result of amending his complaint within the last 45 days of discovery ending, without opposition from Defendants. All Defendants were entitled to move for summary judgment separately, including submitting separate supporting briefs. In an effort to streamline the number of motions before the Court, Defendants opted to file one motion and brief covering the claims against all. Plaintiff will not be prejudiced by Defendants' request and the same is necessary to ensure fairness and to promote the aims of judicial economy.

6. Given the nature of this request, Defendants ask that any requirement of a separate memorandum in support be waived.

For these reasons, Defendants request leave to exceed the page limit set forth by Local Rule 7(b)(5) in submitting their reply in support of summary judgment.

Dated: October 23, 2017.

Respectfully submitted,

PHELPS DUNBAR, LLP

BY: /s/ LaToya C. Merritt

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I, LaToya C. Merritt, do hereby certify that I electronically filed a copy of the above and foregoing with the Clerk of the Court, using the CM/ECF system, which sent notification of such filing to the following counsel of record:

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SO CERTIFIED, this the 23rd day of October, 2017.

/s/ LaToya C. Merritt
LaToya C. Merritt